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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 1597/2018 & CRL.M.A. 9816/2018**

NISHAT DAHIYA Petitioner

Through: Counsel (appearance not given).

versus

STATE (GOVT OF NCT OF DELHI) Respondent

Through: Mr Avi Singh, ASC for State with Mr
Tanuj Bhadana, Advocate.
Inspector Vipin Kumar, ATO Sultan
Puri and SI Rajiv Yadav.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.09.2019

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondent to prevent encroachment over public land belonging to the Gram Sabha situated in Khasra Nos. 17 and 24, Village Nangloi Jat, Delhi. In addition, the petitioner also prays that directions be issued to respondent no.1 to call for an FIR to be registered regarding trespass by some persons and by police officials into her house on 09.04.2018. She also alleges that the said persons had intimidated her by beating her husband and outraging her modesty. Insofar as the petitioner's complaint regarding encroachment on public land belonging to the Gram Sabha is concerned, it is noticed that the Supreme Court has constituted a Special Task Force (STF) for considering the aforesaid issue.

2. In *Devender v. Govt. of NCT of Delhi & Ors.: W.P.(C)*

No.1807/2018 decided on 20.09.2018, the Division Bench of this Court had also observed that in view of the constitution of the STF to examine the question of encroachment, it would not be apposite for this Court to entertain a petition in this regard.

3. In this view, it will be open for the petitioner to make an appropriate complaint before the STF.

4. Insofar as the petitioner's prayer for registration of an FIR is concerned, it would be apposite for the petitioner to approach the Magistrate under Section 156(3) of the CrPC if the petitioner has any grievance regarding non-registration of an FIR. Needless to state that if any such application is made, the concerned Magistrate shall examine the petitioner's complaint and issue appropriate directions.

5. The petition is disposed of with the aforesaid observations leaving it open for the petitioner to make an appropriate complaint before the STF. The pending application is also disposed of.

VIBHU BAKHRU, J

SEPTEMBER 17, 2019
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